

Wetlands Bureau Decision Report

Review
11/30/15

Decisions Taken
11/23/2015 to 11/29/2015

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or at appeals@des.nh.gov. The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

MAJOR IMPACT PROJECT

2015-01000 CAMP BERNADETTE INC
WOLFEBORO Wentworth Lake

Requested Action:

Remove a 660 sq. ft. of a T-shaped concrete pier and a 308 sq ft L-shaped concrete pier, dredge sand from 682 sq. ft. of the lakebed, remove 61 linear ft. of 16 in. high wood retaining wall, construct 95 linear ft. of 24 in. high stone retaining wall, replenish approximately 2,160 sq. ft. of beach area, install two seasonal hinged piers and construct four 6 ft. x 25 ft. piling piers connected by a 6 ft. x 89 ft. walkway parallel to the shore accessed by a 6 ft. x 25 ft. walkway, 15 ft. of which shall be over land on an average of 1,032 ft. of frontage along Wentworth Lake in Wolfeboro.

APPROVE PERMIT:

Remove a 660 sq. ft. of a T-shaped concrete pier and a 308 sq ft L-shaped concrete pier, dredge sand from 682 sq. ft. of the lakebed, remove 61 linear ft. of 16 in. high wood retaining wall, construct 95 linear ft. of 24 in. high stone retaining wall, replenish approximately 2,160 sq. ft. of beach area, install two seasonal hinged piers and construct four 6 ft. x 25 ft. piling piers connected by a 6 ft. x 89 ft. walkway parallel to the shore accessed by a 6 ft. x 25 ft. walkway, 15 ft. of which shall be over land on an average of 1,032 ft. of frontage along Wentworth Lake in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Diversified Marine Construction dated April 22, 2015, and revised through June 04, 2015, as received by the NH Department of Environmental Services (DES) on August 17, 2015.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
4. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
5. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
9. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
10. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Any subdivision of the property that results in the structure being located on a lot having less than 825 ft. of frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
12. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
13. Pilings shall be spaced a minimum of 12 ft. apart as measured piling center to piling center.
14. No portion of the pier shall extend more than 50 feet from the shoreline at full lake elevation (Elev. 534).
15. All seasonal structures shall be removed for the non-boating season.
16. All sand shall be located above the normal high water line.

17. This permit authorizes a single beach replenishment only. Any future beach replenishment shall require a new permit.
18. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(a), construction or modification of a major docking system
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
6. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Wentworth Lake.
7. The applicant has an average of 1,032 feet of shoreline frontage along Lake Wentworth.
8. A maximum of 14 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
9. The proposed docking facility will provide 12 slips as defined per RSA 482-A:2; VIII and therefore meets Rule Env-Wt 402.13.
10. The applicant submitted plans addressing the local Conservation Commission concerns to include construction sequence.
11. The applicant has met the criteria of Part Env-Wt 204 Waivers, therefore a waiver of Rule Env-Wt 402.06, Permanent Piers, is granted to allow to construction of the new piling piers.

-Send to Governor and Executive Council-

2015-01793 LYME, TOWN OF
LYME Post Pond

Requested Action:

Install a 3 ft. 4 in. x 36 ft. 7 in. seasonal dock adjacent to two existing seasonal docks with dimensions of 3 ft. 4 in. x 26 ft. 7 in. and 3 ft. 4 in. x 28 ft. 4 in. on approximately 784 ft. of shoreline frontage used as a town swim area on Post Pond, in Lyme.

APPROVE PERMIT:

Install a 3 ft. 4 in. x 36 ft. 7 in. seasonal dock adjacent to two existing seasonal docks with dimensions of 3 ft. 4 in. x 26 ft. 7 in. and 3 ft. 4 in. x 28 ft. 4 in. on approximately 784 ft. of shoreline frontage used as a town swim area on Post Pond, in Lyme.

With Conditions:

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on October 29, 2015.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
4. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Any subdivision of the property that results in the structure being located on a lot having less than 375 ft. of frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
7. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
8. No portion of this new pier shall extend more than 37 feet from the shoreline at full lake elevation (Elev. 428).
9. All seasonal structures shall be removed for the non-boating season.

10. The applicant shall coordinate with NH NHB prior to installation of the docking structure. Any modifications to the placement of the docking structure to address NH Natural Heritage Bureau concerns shall require an amendment to this permit prior to installation of the docking structure.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(d), construction of a major docking system.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 784 feet of shoreline frontage along Post Pond.
6. A maximum of 11 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The existing and proposed docking facilities will provide a total of 6 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. The applicant must coordinate with NH Natural Heritage Bureau prior to installation of the docking structure, therefore addressing their concerns.
9. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

2015-01853 500 NORTH ROAD REALTY TRUST LLC
EPSOM Little Bear Brook

Requested Action:

Proposal to dredge and fill a total of 36,190 sq. ft. of palustrine forested wetlands over a total of 9 locations to construct roadway crossings for a 37-lot subdivision on 122 acres, including the following: wetlands impact #1: 4,030 sq. ft. and installation of a 30" x 73' culvert; wetland impact #2: 2,000 sq. ft. crossing fill; wetland impact #3: 4,860 sq. ft. and installation of a 36" x 64' culvert; wetland impact #4: 7,770 sq. ft. and installation of a 10' x 4' x 80' box culvert with natural bottom; wetland impact #5: 9,855 sq. ft. and installation of a 36" x 82' culvert, and installation of a second 36" x 96' culvert; wetland impact #8: 550 sq. ft. bridge abutments; wetland impact #9: 1,650 sq. ft. crossing fill; wetland impact #10: 1,820 sq. ft. and installation of a 15" 58' culvert; wetland impact #11: 3,655 sq. ft. and installation of a 48" x 110' culvert. Wetland impact areas #6 and #7 were completed under Wetlands Permit #2005-00817.

Approve as mitigation a conservation easement on 15.56 acres (5.03 upland and 10.53 wetland) associated with the Little Bear Brook on the property to be held by the Town of Epsom Conservation Commission.

APPROVE PERMIT:

Dredge and fill a total of 36,190 sq. ft. of palustrine forested wetlands over a total of 9 locations to construct roadway crossings for a 37-lot subdivision on 122 acres, including the following: wetlands impact #1: 4,030 sq. ft. and installation of a 30" x 73' culvert; wetland impact #2: 2,000 sq. ft. crossing fill; wetland impact #3: 4,860 sq. ft. and installation of a 36" x 64' culvert; wetland impact #4: 7,770 sq. ft. and installation of a 10' x 4' x 80' box culvert with natural bottom; wetland impact #5: 9,855 sq. ft. and installation of a 36" x 82' culvert, and installation of a second 36" x 96' culvert; wetland impact #8: 550 sq. ft. bridge abutments; wetland impact #9: 1,650 sq. ft. crossing fill; wetland impact #10: 1,820 sq. ft. and installation of a 15" 58' culvert; wetland impact #11: 3,655 sq. ft. and installation of a 48" x 110' culvert. Wetland impact areas #6 and #7 were completed under Wetlands Permit #2005-00817.

Approve as mitigation a conservation easement on 15.56 acres (5.03 upland and 10.53 wetland) associated with the Little Bear Brook on the property to be held by the Town of Epsom Conservation Commission.

With Conditions:

1. All work shall be in accordance with plans by Eric C. Mitchell dated April 6, 2005, and revised through November 8, 2005, and plans by Berry Surveying and Engineering dated October 19, 2015 as received by the NH Department of Environmental Services (DES) on July 20, 2015.
2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
3. This permit is not valid unless a subdivision/septic system construction approval or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
10. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
12. Silt fencing must be removed once the area is stabilized.
13. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
14. The channels at the culvert inlets and outlets/The recreated stream channel bed must maintain the natural and a consistent streambed elevation and not impede stream flow.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
17. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
19. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
20. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
21. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
22. Temporary cofferdams shall be entirely removed immediately following construction.
23. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
24. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
25. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
26. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
27. Proper headwalls shall be constructed within seven days of culvert installation.
28. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual

(January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).

29. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

30. Work shall be done during low flow.

Wetland preservation:

1. This permit is contingent upon the execution of a conservation easement on 15.53 acres as depicted on plans by Eric Mitchell and Associates Inc., entitled "Conservation Easement Plat, Tax Map R-15, Lots 4, 4-12, & 4-34, North Road, Epsom, NH for Graystone Builders" dated July 29, 2005, received October 27, 2015, to be held by the Town of Epsom, with stewardship by the Epsom Conservation Commission.
2. Natural resources existing on the conservation easement parcel shall not be removed, disturbed, or altered without prior written approval of DES and the easement holder.
3. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
4. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
5. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
6. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction. If this survey determines the parcel is less than the size represented in the application, the permittee shall submit the completed survey to DES for review. As a result of this review DES may require additional mitigation adjustments after coordination with the appropriate Conservation Commission(s), and State and Federal Agencies.
7. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
8. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
9. There shall be no placement of fill, construction of structures, or storage of vehicles or hazardous materials on the conservation parcel.
10. Activities in contravention of the conservation easement shall be deemed to be a violation of RSA 482-A, and shall be subject to enforcement under RSA 482-A.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c), alteration of non-tidal wetlands, surface waters and adjacent banks in excess of 20,000 square feet; and per Rule Wt 303.02(i), projects that alter or disturb more than 200 linear feet of an intermittent or perennial stream or its banks.
2. The applicant received wetlands permit #2005-00817 on November 23, 2005 to construct a 37-lot subdivision on 122 acres. The applicant received two time extensions which expire November 22, 2015. The project was not fully constructed under wetlands permit #2005-00817 and the current proposal is a re-permit of the previous approval. 3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. It is necessary to cross wetlands to reach buildable uplands throughout this property.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The project has confined the wetland crossings to the narrowest locations practicable given the steep nature and extreme variations of the topography of the site. The impacts are limited to road crossings, with no further impact proposed for driveways or lot development.
5. This project qualifies as a Tier 2 Stream Crossings at Wetland Impact Areas #4 and #8. The applicant has designed the stream crossings in accordance with Env-Wt 904.01 and Env-Wt 904.03. The applicant has demonstrated that the proposed crossings have been designed to accommodate the 100-year frequency flood without restriction, is an open bottom box culvert with a natural stream channel at Wetland Impact Areas #4 and a bridge span structure at Wetland Impact Areas #8 with a natural stream channel, will allow free flow of streams and components such as natural sediment transport, and should not disrupt the movement of indigenous aquatic life.
6. The applicant has mitigated for unavoidable impacts in accordance with Chapter Wt 800, and has provided a 15.53 acre (5.03

acres of upland and 10.53 acres of wetlands) conservation easement associated with the Little Bear Brook on the property.

7. The applicant has fulfilled the mitigation requirements previously under wetlands permit 2005-00817.

8. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

9. There were no Natural Heritage Bureau records of sensitive species within the project vicinity.

10. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem.

2015-02511 CAMELOT ACRES RESIDENTS ASSOCIATION
BRISTOL Newfound Lake

Requested Action:

Replace 80 linear ft. of retaining wall in the same location and dimensions, construct an additional 20 linear ft. of retaining wall to the north and 20 linear ft. to the south, add access steps to the waterbody, replenish the beaches, and replace an existing 18 in. stormwater culvert in the same location and diameter on frontage along Newfound Lake, in Bristol.

APPROVE PERMIT:

Replace 80 linear ft. of retaining wall in the same location and dimensions, construct an additional 20 linear ft. of retaining wall to the north and 20 linear ft. to the south, add access steps to the waterbody, replenish the beaches, and replace an existing 18 in. stormwater culvert in the same location and diameter on frontage along Newfound Lake, in Bristol.

With Conditions:

1. All work shall be in accordance with plans by Joanne Coppinger dated September 10, 2015, as received by the NH Department of Environmental Services (DES) on September 21, 2015.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
4. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. The steps installed for access to the water shall be located completely landward of the normal high water line.
11. No more than 125 cu. yd. of sand shall be used and all sand shall be located above the normal high water line.
12. This permit authorizes a single beach replenishment only. Any future beach replenishment shall require a new permit.
13. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
15. A combination of trees, shrubs and ground covers representing the density and species diversity of the vegetation present prior to construction shall be replanted beginning at a distance no greater than 5 feet landward from the beach area.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02 (o) construction of or replenishment of a beach that does not meet the criteria for minimum impact under Env-Wt 303.04(d) or Env-Wt 303.04(aa), or minor impact under Env-Wt 303.03(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES finds that the criteria necessary to require a public hearing as outlined in RSA 482-A:8 have not been met.

MINOR IMPACT PROJECT

2011-00237 FOUR B BEACH TRUST
RYE Atlantic Ocean

Requested Action:

Authorized agent request for permit time extension to remove and regrade 5,940 sq. ft. of accumulated beach sand along 180 linear feet of a 240 linear foot seawall to provide better exposure of the seawall to protect the property from ocean waves. The sand will be pulled back from the seawall and regraded along the dry sand portion of the beach landward of mean high tide along this frontage.

Conservation Commission/Staff Comments:

The Rye Conservation Commission did not comment on the project.

APPROVE TIME EXTENSION:

Approve request for permit time extension to remove and regrade 5,940 sq. ft. of accumulated beach sand along 180 linear feet of a 240 linear foot seawall to provide better exposure of the seawall to protect the property from ocean waves. The sand will be pulled back from the seawall and regraded along the dry sand portion of the beach landward of mean high tide along this frontage.

With Conditions:

1. All work shall be in accordance with 'Wetlands Permit Plan' dated October 22, 2010 by MSC, Inc. as received by the Department on January 26, 2011.
2. NH DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion each time work is done
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work authorized under this permit may be implemented annually.
5. Sand removed from the face of the seawall shall be regraded on the remaining dry sand area of the beach landward of mean high tide.
6. The sand removed from the face of the seawall shall be graded to match existing beach contours.
7. No sand shall be removed from the beach for disposal elsewhere.
9. Wood, seaweed, or other accumulated debris may be removed from the beach and disposed of outside of any area within DES Wetlands Bureau jurisdiction.

With Findings:

1. The authorized agent that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.

2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

2015-02507 BOUVIER, LESLIE
NEW DURHAM Merrymeeting Lake

Requested Action:

Replace 58 linear ft. of existing retaining wall, and relocate 6 ft. wide access steps on an average of 117 ft. of frontage along Merrymeeting Lake, in New Durham.

Conservation Commission/Staff Comments:

10-20-15-No potential to cause effects per DHR.

APPROVE PERMIT:

Replace 58 linear ft. of existing retaining wall, and relocate 6 ft. wide access steps on an average of 117 ft. of frontage along Merrymeeting Lake, in New Durham.

With Conditions:

1. All work shall be in accordance with plans by Thomas Varney dated September 17, 2015, and revised through September 24, 2015, as received by the NH Department of Environmental Services (DES) on September 28, 2015.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
4. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
11. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
12. Work shall be done during low flow and in the dry only.
13. The repairs shall maintain the size, location, and configuration of the pre-existing structures except as noted on the plan.
14. The retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
15. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03 (j) repair or replacement of existing retaining walls that requires work in the water.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2015-02534 **CORRIGAN, NANCY/PAUL**
MEREDITH Lake Winnepesaukee

Requested Action:

Repair 36 linear ft. of retaining wall, an existing 8 ft. 4 in. x 28 ft. permanent dock, and existing access stairs to the waterbody "in kind," resulting in no modification of the existing 3 ft. x 31 ft. 4 in. seasonal dock on an average of 40 feet of frontage along Lake Winnepesaukee, in Meredith.

APPROVE PERMIT:

Repair 36 linear ft. of retaining wall, an existing 8 ft. 4 in. x 28 ft. permanent dock, and existing access stairs to the waterbody "in kind," resulting in no modification of the existing 3 ft. x 31 ft. 4 in. seasonal dock on an average of 40 feet of frontage along Lake Winnepesaukee, in Meredith.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design and Construction Management dated August 12, 2015, and revised through November 19, 2015 as received by the NH Department of Environmental Services (DES) on November 19, 2015.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
4. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
5. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
7. Only those structures shown on the approved plans shall be installed or constructed along this frontage.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
10. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
11. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Only existing rocks that have fallen from the structure(s) shall be used for the repairs. No additional rocks shall be used, whether obtained from the site or brought to the site.
13. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
14. All construction-related debris shall be placed outside of areas subject to RSA 482-A jurisdiction.
15. This permit does not allow dredging for any purpose.

16. The permittee may make repairs to the permitted structures as necessary, prior to the permit expiration date, provided that prior to performing any repair the permittee notifies the DES Wetlands Program and the Conservation Commission, in writing, of the proposed start and completion dates.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03 (j) Repair or replacement of existing retaining walls that requires work in the water, but that results in no change in height, length, location, or configuration.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 40 feet of shoreline frontage along Lake Winnepesaukee.
6. The existing docking facility exceeds the dimension allowed under Rule Env-Wt 402.12, Frontage Less Than 75', however the applicant submitted information indicating the existing structures are grandfathered.
7. The applicant submitted abutter permission for work within the abutter's 20 foot setback.

MINIMUM IMPACT PROJECT

2015-01701 TAYLOR, ROSEMARY/STEVEN
DURHAM Pettee Brook

Requested Action:

Proposal to impact a total of 870 sq. ft. of wetland, 365 sq. ft. permanent and 505 sq. ft. temporary, and installation of a 6 inch CPP culvert and a 8 inch CPP culvert to construct a driveway, dwelling and garage on a single-family residential lot.

Waive Env-Wt 304.04 limiting the location of a project to at least 20 ft. from an abutting property line or imaginary extension thereof over surface water unless it receives written agreement from the affected abutter concurring with any impact that may result relative to the abutter's interests.

APPROVE PERMIT:

Impact a total of 870 sq. ft. of wetland, 365 sq. ft. permanent and 505 sq. ft. temporary, and installation of a 6 inch CPP culvert and a 8 inch CPP culvert to construct a driveway, dwelling and garage on a single-family residential lot.

Waive Env-Wt 304.04 limiting the location of a project to at least 20 ft. from an abutting property line or imaginary extension thereof over surface water unless it receives written agreement from the affected abutter concurring with any impact that may result relative to the abutter's interests.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Associates, Inc. dated May 2015, and revised through November 13, 2015, as received by the NH Department of Environmental Services (DES) on November 13, 2015.
2. Weight distribution mats shall be used to support the construction equipment used in temporary wetland impact areas.
3. Weight distribution mats shall be placed and removed by lifting and lowering with the boom arm of a backhoe or excavator, and shall not be dragged over the surface of the wetlands.
4. Upon completion of work, all construction materials, weight distribution mats, and any debris shall be removed entirely from

temporary impact areas.

5. A NH Certified Wetland Scientist ("CWS") shall supervise and be on-site during restoration of temporary wetland impact areas.
6. A CWS shall prepare and submit a post restoration/construction monitoring report to DES on or before December 1, 2016.
7. A CWS shall conduct monitoring inspections at the end of the growing season for two (2) consecutive years with annual monitoring reports to be submitted to DES on or before December 1st.
8. Wetland restoration areas shall achieve a plant success rate of 75% after two (2) growing seasons. If plant success rates are not achieved, remedial measures recommended by a CWS and approved by DES shall be implemented.
9. There shall be no environmental impact to abutting properties.
10. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
11. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
12. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
13. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
16. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
17. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
18. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
20. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet in swamps and wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated that the impact is necessary to construct a driveway to access buildable uplands for a residential lot.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant examined several design concepts to minimize wetland impacts, has reduced the amount of wetland impact by 1,110 sq. ft. from the original submittal, provided a wetland planting plan to enhance the existing wetlands on-site and to restore the temporary wetland impacts.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The NH Natural Heritage Bureau ("NHB") has record of sensitive species within the project vicinity, but NHB does not expect impacts to the species by the project.
6. In accordance with Env-Wt 204, the applicant requested a waiver from Env-Wt 304.04(a) regarding DES limiting the location of a project to at least 20 ft. from an abutting property line unless it receives written agreement from the affected abutter concurring with any impact that may result relative to the abutter's interest. The applicant sent certified written notices to abutter Dudley and Naughton requesting written concurrence for work within 20 ft. to the abutter's property line with no response. The applicant has demonstrated that the impacts were minimized to the greatest extent practicable, are greater than 10 ft. from the property line, and the work is conditional on no environmental impact to abutters.
7. The Durham Conservation Commission did not submit comments to DES on the application.

**2015-01752
GOFFSTOWN**

URBAN, VINCENT

Requested Action:

Dredge and fill 217 sq. ft. of wetlands (disturbed ditch/drainage swale) for access to a proposed residential duplex building. Work includes installation of a 18 in. x 36 ft. HDP and associated grading and filling.

APPROVE PERMIT:

Dredge and fill 217 sq. ft. of wetlands (disturbed ditch/drainage swale) for access to a proposed residential duplex building. Work includes installation of a 18 in. x 36 ft. HDP and associated grading and filling.

With Conditions:

1. All work shall be in accordance with plans by Bedford Design Consultants Inc., dated June 19, 2015, as received by the NH Department of Environmental Services (DES) on July 10, 2015 and narrative/response by Bedford Design Consultants Inc., dated October 30, 2015, as received by the DES on October 30, 2015.
2. This permit is contingent on approval by the Town of Goffstown for work within the Town Road Right-of-Way.
3. This permit is not valid unless septic system construction approval or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
4. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
5. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur.
6. The limits of work adjacent to the potential vernal pool area shall be marked in the field before construction and land clearing activities to prevent accidental encroachment on the wetland and surrounding area.
7. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
8. Work shall be done during low flow and in the dry only.
9. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
10. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
12. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
13. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
14. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The wetland drainage swale is between the road and upland area.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application

Evaluation, has been considered in the design of the project.

6. The department has received comments in objection to the project (see file for comment letter and plan received, July 29, 2015 and letter and signature list received August 6, 2015).
7. The currently proposed impacts under the department's ("Wetlands Bureau") jurisdiction are 217 sq. ft. to a previously disturbed roadside ditch/drainage swale.
8. The applicant's agent ("agent") indicated that the proposed culvert is oversized.
9. This permit is contingent on approval by the town.
10. The agent has indicated that the proposed house site is approximately one hundred feet from the potential vernal pool area and that there is no construction proposed close to the area.
11. The plan received July 29, 2015 with the objection letter is for a conceptual 6-lot subdivision of an 8 acre lot (Tax Map 23 Lot 11) and an adjacent 4.5 acre lot (tax Map 23 Lot 13).
12. The submitted wetland application is for one crossing and only one residential duplex building and associated infrastructure on the 8 acre lot (Tax Map 23, Lot 11) within 30 feet of Chatel Ave.
13. The agent has indicated "Currently to the best of our knowledge, the 6 lot subdivision is not being pursued by the owner."
14. The Piscataquog River Local Advisory Committee ("PRLAC") indicating they had no comments but would be interested in reviewing any subsequent plans for construction on the lot being accessed (Goffstown map 23, Lot 11).
15. The Wetlands Bureau has only received one access plan which is included in the permit conditions.
16. No further comments have been received from the PRLAC.
17. The local conservation commission did not sign the application and did not provide any comments to the Wetlands Bureau.
18. No other comments in support or objection to the project have been received by the Wetlands Bureau since the Request for More Information letter issued on September 22, 2015.

**2015-02526
DURHAM**

UNIVERSITY OF NEW HAMPSHIRE

Requested Action:

Proposal to dredge and fill 277 square feet of surface waters to remove an existing 36 inch x 54 inch oval culvert and replace with a 5 ft. high x 5 ft. wide x 18 ft. long box culvert (embedded 1 ft.) under an existing pedestrian walkway.

APPROVE PERMIT:

Dredge and fill 277 square feet of surface waters to remove an existing 36 inch x 54 inch oval culvert and replace with a 5 ft. high x 5 ft. wide x 18 ft. long box culvert (embedded 1 ft.) under an existing pedestrian walkway.

With Conditions:

1. All work shall be in accordance with plans by Hoyle, Tanner & Associates dated September 14, 2015 as received by the NH Department of Environmental Services (DES) on September 22, 2015.
2. The applicant shall use a well-blended mix of material, including suitable fine material, to recreate the natural streambed. To ensure the stability of the recreated streambed, larger material may be needed, and the sizing of that material shall take into account the slope, channel cross-section area and velocities of expected high flows.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
5. Work shall be done during low flow.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual,

- Volume 3, Erosion and Sediment Controls During Construction (December 2008).
- 9. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
 - 10. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
 - 11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
 - 12. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
 - 13. Proper headwalls shall be constructed within seven days of culvert installation.
 - 14. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
 - 15. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
 - 16. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
 - 17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

- 1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet in swamps and wet meadows.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated that the existing culvert is deteriorated and needs to be replaced.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant has demonstrated that the location of the proposed culvert is within the same general footprint as the existing culvert.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. Natural Heritage Bureau ("NHB") has record of sensitive species within the vicinity of this project. The applicant has coordinated with NH Fish and Game Department to minimize impacts to the species.
- 6. This project qualifies as a Tier 1 Stream Crossing and the applicant has designed the stream crossing in accordance with Env-Wt 904.02 and Env-Wt 903.03. The applicant has demonstrated that the replacement culvert stream crossing has been designed to accommodate the 50-year frequency flood without restriction, is a closed-bottom culvert embedded 1 ft. to simulate a natural streambed, and should not disrupt the movement of indigenous aquatic life.
- 7. The Durham Conservation Commission did not submit comments to DES on the application.

FORESTRY NOTIFICATION

2015-03035 THEODORE ECK TRUST
ORFORD Unnamed Stream

COMPLETE NOTIFICATION:

Orford, Tax Map #8, Lot #29-73

2015-03151 WOODS, RAY
TROY Unnamed Stream

COMPLETE NOTIFICATION:
Troy, Tax Map #11, Lot #12 & 18

2015-03152 BUTLER, BURNETT
HINSDALE Unnamed Stream

COMPLETE NOTIFICATION:
Hinsdale, Tax Map #30, Lot #57

2015-03154 WILLAND, ALLAN
WOLFEBORO Unnamed Wetland

COMPLETE NOTIFICATION:
Wolfeboro, Tax Map 16,25,26,35,45 Lot # 2,3,1,2,1

2015-03155 MILLER, LISBETH/TOD
WINCHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Winchester, Tax Map #2, Lot #39

2015-03157 LEIPOLD, PATRICIA
WOLFEBORO Unnamed Stream

COMPLETE NOTIFICATION:
Wolfeboro, Tax Map #148, Lot #11

2015-03163 BAYROOT LLC
DIX GRANT Unnamed Stream

COMPLETE NOTIFICATION:
Dix's Grant, Tax Map #1626, Lot #10

2015-03164 FRANK, LOU
NORTH WOODSTOCK Unnamed Wetland

COMPLETE NOTIFICATION:
North Woodstock Tax Map 26 Lots #44 & 45

2015-03165 SPK TRUST
CONWAY Unnamed Stream

COMPLETE NOTIFICATION:
Conway, Tax Map #298, Lot #29

2015-03169 FARWELL, LUCILLE
BROOKLINE Unnamed Wetland

COMPLETE NOTIFICATION:
Brookline Tax Map C, Lot #53

EXPEDITED MINIMUM

2015-03001 GILFORD, TOWN OF
GILFORD Unnamed Stream

Requested Action:

Proposal to dredge and fill 811 sq. ft. of perennial stream (includes 615 sq. ft. of temporary impact), Tier 2 stream crossing, to replace a failing 3 ft. 6 in. rise x 3 ft. 6 in. span x 20 ft. run granite and rubble culvert on Potter Hill Road with a 4 ft. rise x 4 ft. span x 24 ft. run box culvert with headwalls (embedded with natural stream bed materials).

Conservation Commission/Staff Comments:

11/10/2015 Con. Com. voted to approve the project application.

APPROVE PERMIT:

Dredge and fill 811 sq. ft. of perennial stream (includes 615 sq. ft. of temporary impact), Tier 2 stream crossing, to replace a failing 3 ft. 6 in. rise x 3 ft. 6 in. span x 20 ft. run granite and rubble culvert on Potter Hill Road with a 4 ft. rise x 4 ft. span x 24 ft. run box culvert with headwalls (embedded with natural stream bed materials).

With Conditions:

1. All work shall be in accordance with plans by Gregsak Engineering, Inc. and Michie Corporation dated 10/22/2015, as received by the NH Department of Environmental Services (DES) on November 6, 2015.
2. The Town shall obtain temporary construction easements or written agreements from affected landowners with work in jurisdiction on their property. Copies shall be supplied to DES Wetlands Bureau File No. 2015-03001 prior to construction.
3. The stream bed surface (inside and outside of the box culvert) shall be restored with natural rounded stone and/or natural stream bed materials and shall not include angular rip-rap.
4. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once the cofferdam is fully effective, confined work can proceed without restriction.
7. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has

returned to normal clarity.

8. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation for access.
9. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or coco matting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting (no netting) and pinning.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands. 1. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The existing culvert is dilapidated and currently failing. The existing concrete headwalls around the culvert are also in serious disrepair with extensive cracking. The failures are causing the road to settle and deteriorate rapidly.
6. The project is a Tier 2 stream crossing (307 acre watershed) replacement in accordance with administrative rule Env-Wt 904.07.
7. The applicant's New Hampshire Licensed Professional Engineer ("PE") addressed administrative rule Env-Wt 904.01.
8. The submitted plans are stamped by the PE.
9. The department has not received any abutter or public comments in objection to the proposed project.

LAKES-SEASONAL DOCK NOTIF

2015-03141 CZARNECKI, JOSEPH
WAKEFIELD Ivanhoe Pond

Requested Action:

Installation of a seasonal docking structure.

COMPLETE NOTIFICATION:

Installation of a seasonal docking structure.

PERMIT BY NOTIFICATION

2015-01887 119 CLAY POINT ROAD LLC
ALTON Lake Winnepesaukee

Requested Action:

Repair existing breakwater and docking structure.

PBN DISQUALIFIED:

Repair existing breakwater and docking structure.

With Findings:

1. A PBN can be used to repair, and replacement in-kind of existing docking structures, such as breakwaters, docks, boat houses, piers, wharves, walkways, boat ramps, tie-off pilings, ice clusters, dolphins, or other docking facilities provided the existing structures have been constructed in accordance with a previously-issued wetlands permit and have not been abandoned pursuant to Env-Wt 101.02 or Env-Wt 303.05 (a)(4).
2. The existing structures do not meet the dimensions of previously issued permits for this frontage.

2015-02892 CAGGIANO, MICHAEL
HAMPSTEAD Sunset Lake

With Findings:

While the existing wall is in need of repair, the applicant/agent has not provided the required information (plans) that clearly define the work to be done in order to complete the wall replacement.

Requested Action:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration in accordance with plans dated November 19, 2015.

PBN IS COMPLETE:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration in accordance with plans dated November 19, 2015.

2015-03036 NATH FAMILY LIMITED PARTNERSHIP
MEREDITH Lake Winnepesaukee

Requested Action:

Maintenance, repair, and replacement in-kind of existing docking structures, provided no change in location, configuration,

construction type, or dimensions is proposed.

PBN IS COMPLETE:

Maintenance, repair, and replacement in-kind of existing docking structures, provided no change in location, configuration, construction type, or dimensions is proposed.

2015-03161 RACZKA, NANCY
HAMPSTEAD Island Pond

Requested Action:

Repair or replacement of existing retaining walls that is performed “in the dry” during drawdown of waters, and that results in no change in height, length, location, or configuration.

PBN IS COMPLETE:

Repair or replacement of existing retaining walls that is performed “in the dry” during drawdown of waters, and that results in no change in height, length, location, or configuration.

CSPA PERMIT

2015-01500 SAWYERS POINT TRUST
TUFTONBORO Lake Winnepesaukee

Requested Action:

Impact 235 sq. ft. for the construction of a patio.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Impact 235 sq. ft. for the construction of a patio.

With Findings:

1. On July 14, 2015, the Department issued a Request for More Information letter to the Applicant requesting that the Applicant either provide an explanation of the need to remove protected groundcover from the waterfront buffer or revise the plans to relocate the proposed patio to a location within the buffer that had already been cleared of native vegetation.
2. Pursuant to RSA 483-B:5-b, V(a) where the Department requests additional information, if the requested additional information is not received by the Department within 120 days of the request, the Department shall deny the application.
3. The Department has received neither the requested evidence nor the revised proposal within the 120 days provided and therefore, the application has been denied.

UTILITY NOTIFICATION

2015-03156 DURHAM, TOWN OF
DURHAM Unnamed Wetland

COMPLETE NOTIFICATION:

Emergency replacement of approx 550 ft of 6" cast iron sewer pipe with 8" HDPE pipe via static pipe bursting.

EMERGENCY AUTHORIZATION

2015-00942 NH DEPT OF TRANSPORTATION
WOODSTOCK Pemigewasset River

Requested Action:

Confirm Emergency Authorization issued by DES on April 28, 2015 to stabilize approximately 40 linear feet, 400 square feet, of riverbank on the Pemigewasset River.

CONFIRM EMERGENCY AUTHORIZATION:

Confirm Emergency Authorization issued by DES on April 28, 2015 to stabilize approximately 40 linear feet, 400 square feet, of riverbank on the Pemigewasset River.

With Conditions:

1. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
2. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o) Projects deemed minimum impact by the department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The work was needed immediately to protect the existing utility poles and the power supply.
4. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

